



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

April 13, 2017
Certified Mail/Return
7012 3460 0003 1112 7840

Red Bluff Fish & Wildlife Office
10950 Tyler Road
Red Bluff, CA 96080

Attention: Stewart Schneider, WTO / Mechanic

Subject: Public Water System No. 5205009 – Citation No. 21-17C-010 for failure to begin Stage 2 Disinfectant Byproduct Monitoring in 2014.

The Red Bluff Fish & Wildlife Office water system is classified as a nontransient – noncommunity water system. Per Section 64530(d)(3) of the California Code of Regulations (CCR), the System was required to begin disinfectant byproduct (DBP) monitoring in July or August of 2014. As of the date of this citation, the System has not reported DBP monitoring results.

Therefore, this Citation is hereby issued to the water system for violating the monitoring and reporting requirements per the regulation cited above. Please take note of the enclosed citation directives.

Section 116577 of the California Safe Drinking Water Act provides for the department to be reimbursed by the public water system for costs incurred for preparing and issuing a citation. The billing rate is approximately \$163 per hour. You will receive a bill for this cost, typically by September 1st, from our Fee Billing Unit in Sacramento.

Any person who is aggrieved by an order or decision issued by the deputy director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code section 116625) or Article 9 (commencing with Health and Safety Code section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Water Board for reconsideration of the order or decision. Attachment A to the enclosed citation contains the relevant statutory provisions for filing a petition for reconsideration. (Health and Safety Code section 116701) Petitions must be received by the State Board within 30 days of the issuance of the order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

If you have any questions please call Paul Rowe at (530) 224-4866. You may also contact me directly at (530) 224-4861.



Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

1
2 STATE WATER RESOURCES CONTROL BOARD

3 DIVISION OF DRINKING WATER
4

5 **Public Water System:** Red Bluff Fish & Wildlife Office

6 **Water System No.:** 5205009
7

8 **To:** Red Bluff Fish & Wildlife Office

9 Attn: Stewart Schneider, WTO / Mechanic

10 10950 Tyler Road

11 Red Bluff, CA 96080
12

13 **Issued:** April 13, 2017

14 VIA CERTIFIED MAIL
15
16

17 **CITATION NO. 21-17-010 FOR NONCOMPLIANCE**

18 **with Title 22 California Code of Regulations,**

19 **Section 64530**
20

21 Section 116650 of the California Health and Safety Code (CHSC) authorizes the
22 issuance of a citation for failure to comply with a requirement of the California Safe
23 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with
24 Section 116270), or any regulation, standard, permit, or order issued thereunder.
25

26 The State Water Resources Control Board, acting by and through its Division of
27 Drinking Water (hereinafter "Division") and the Deputy Director for the Division,

1 hereby issues a citation to Red Bluff Fish & Wildlife Office for failure to comply with
2 Section 64530, Title 22, of the California Code of Regulations (CCR).

3
4 **APPLICABLE AUTHORITIES**

5 See Applicable Authorities in Attachment "A"

6
7 **STATEMENT OF FACTS**

8 The Red Bluff Fish & Wildlife Office (hereinafter, "System") is classified as a
9 nontransient - noncommunity water system serving approximately 35 people. Per
10 Stage 2 Disinfectant Byproduct (DBP) monitoring frequency criteria, specified in
11 Section 64534.2(d)(1) of the CCR, the System qualified for reduced (triennial
12 frequency) monitoring for total trihalomethanes (TTHM) and haloacetic acids (HAA5).
13 The System also submitted to the Division a Stage 2 Disinfectant Byproduct
14 Monitoring Plan on January 15, 2014; which specified that dual sample collection will
15 take place in July or August on a triennial basis. According to Section 64530(d)(3) of
16 the CCR, the System was required to begin collection and reporting of dual DBP
17 samples in July or August of 2014. As of the date of this citation, the System has not
18 performed any Stage 2 disinfectant byproduct monitoring.

19
20 **DETERMINATIONS**

21 The Division has determined that the System is in violation of Section 64530(d)(3) of
22 the CCR, in that the System has not begun triennial monitoring for Stage 2
23 disinfectant byproducts.

1 **DIRECTIVES**

2 The Water System is hereby directed to take the following actions:

- 3
- 4 1. Collect and report a dual sample set (TTHM and HAA5) at the System's
- 5 chosen distribution system location in **July or August of 2017** and every 3
- 6 years thereafter.
- 7
- 8 2. The Water System shall provide public notification (by inclusion in the **2016**
- 9 **Consumer Confidence Report**) of the failure to perform Stage 2
- 10 Disinfectant Byproduct monitoring requirements specified in the statement
- 11 of facts above.
- 12

13 All documents required by this Citation to be submitted to the Division shall be

14 submitted to the following address:

15

16 Reese B. Crenshaw, P. E.

17 Valley District Engineer

18 Drinking Water Field Operations

19 Division of Drinking Water

20 State Water Resources Control Board

21 364 Knollcrest Drive, Suite 101

22 Redding, CA 96002

23 (530) 224-4800

24

25 Nothing in this Citation relieves the Water System of its obligation to meet the

26 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California

27 Safe Drinking Water Act), or any regulation, permit, standard or order issued or

28 adopted thereunder.

1 The Division reserves the right to make such modifications to this Citation, as it may
2 deem necessary to protect public health and safety. Such modifications may be
3 issued as amendments to this Citation and shall be effective upon issuance.

4
5 **FURTHER ENFORCEMENT ACTION**

6 The California SDWA authorizes the State Board to: issue citation with assessment of
7 administrative penalties to a public water system for violation or continued violation of
8 the requirements of the California SDWA or any permit, regulation, permit or order
9 issued or adopted thereunder including, but not limited to, failure to correct a violation
10 identified in a citation or compliance order. The California SDWA also authorizes the
11 State Board to take action to suspend or revoke a permit that has been issued to a
12 public water system if the system has violated applicable law or regulations or has
13 failed to comply with an order of the State Board; and to petition the superior court to
14 take various enforcement measures against a public water system that has failed to
15 comply with violates an order of the State Board. The State Board does not waive any
16 further enforcement action by issuance of this citation.

17
18 **PARTIES BOUND**

19 This Citation shall apply to and be binding upon the Water System, its officers,
20 directors, agents, employees, contractors, successors, and assignees.

21
22 **SEVERABILITY**

23 The directives of this Citation are severable, and the Water System shall comply with
24 each and every provision thereof notwithstanding the effectiveness of any other
25 provision.

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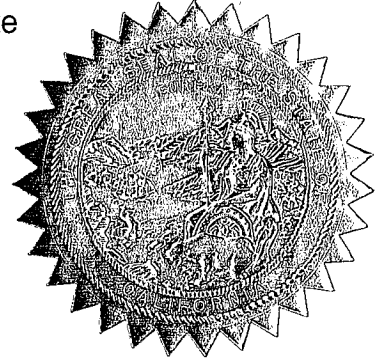
10

R. Crenshaw

Reese B. Crenshaw, P.E., District Engineer
Valley District
Drinking Water Field Operations Branch

4/14/17

Date



Attachments:

Attachment A – Applicable Authorities

APPLICABLE AUTHORITIES

Section 116650 of the CHSC states:

- (a) If the state board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the state board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.*
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.*
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.*
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).*
- (e) The state board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.*

ATTACHMENT A

Stage 2 Monitoring Start Date

Section 64530, Table 64530-A States:

TTHM and HAA5 Compliance Dates

Systems of this type...

Shall comply with TTHM and HAA5 monitoring pursuant to section 64534.2(d) by...

(a) Systems that are not part of a combined distribution system and systems that serve the largest population in the combined distribution system and serving a population of...	(1) $\geq 100,000$	April 1, 2012
	(2) 50,000 – 99,999	October 1, 2012
	(3) 10,000 – 49,999	October 1, 2013
	(4) $< 10,000$	October 1, 2013, if no <i>Cryptosporidium</i> monitoring is required pursuant to 40 Code of Federal Regulations part 141.701(a)(4) (71 Fed. Reg. 654 (January 5, 2006)), which is incorporated by reference; or October 1, 2014, if <i>Cryptosporidium</i> monitoring is required pursuant to 40 Code of Federal Regulations part 141.701(a)(4) or (a)(6) (71 Fed. Reg. 654 (January 5, 2006)), which are incorporated by reference.
(b) Other consecutive or wholesale systems that are part of a combined distribution system		At the same time as the system with the earliest compliance date in the combined distribution system.

Section 64530(d)(3) states in relevant part:

(3) *Systems required to conduct monitoring at a frequency that is less than quarterly shall:*

A. No later than 12 months after the compliance date in table 64530-

A, begin monitoring in the calendar month recommended in the IDSE report prepared pursuant to section 64530(c) or the calendar month identified in the monitoring plan developed pursuant to section 64534.8;

Monitoring Frequency

Section 64534.2(d)(1), Title 22, of the CCR states in relevant part:

(d) By the applicable date specified in Section 64530(d), and in lieu of TTHM and HAA5 monitoring in subsection (a):

(1) Systems may apply to the Division to monitor at a reduced frequency in accordance with table 64534.2 – D, any time the LRAA is ≤ 0.040 mg/L for TTHM and ≤ 0.030 mg/L for HAA5 at all monitoring locations.

Minimum Monitoring Frequency (per relevant section of Table 64534.2 – A): 1 dual sample set every third year if the highest TTHM and HAA5 measurements occurred at the same location and quarter.

Petitions to Orders and Decisions

Section 116701 of the CHSC States:

(a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.

ATTACHMENT A

(b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.

(c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.

(d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.

(e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.

(f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.